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July 7, 2000

Notice of Ex Parte Communication

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: MM Docket No. 99-339, *Video Description Service*

Dear Ms. Salas:

At our meeting with the Commission's staff on June 8, questions arose concerning the costs that television stations would incur in order to distribute described television programming. We pointed out that the assumptions in the Notice of Proposed Rulemaking that the sole costs that stations would incur would be for the installation of an SAP generator were incorrect, and that for many stations, the costs of engineering their plant to accommodate a third audio channel would be quite substantial.

Because we did not at that time have specific data on how many stations would need to reconstruct their analog facilities to pass through DVS signals, NAB conducted a survey of the chief engineers of the top-four network affiliated stations in the 50 largest television markets. We are submitting a report today containing the results of that survey.

As the attached report indicates, almost 30 percent of the responding stations are not presently capable of transmitting an SAP channel, and those stations would require a variety of new equipment if they were required to pass through DVS. Further, the overwhelming majority of stations have not engineered their studio-to-transmitter links (STLs) to carry the additional audio channel that DVS requires. And most significantly, 86.8 percent of the responding stations would have to modify or reconstruct their studios in order to process a DVS signal that came from a network.

We also asked the engineers to estimate the time and cost that these station modifications would require. On average, they reported that adding DVS capability would require 278.4 man-hours and would cost stations $161,459.

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These findings are in striking contrast to the estimates in the NPRM that the costs of adding DVS capability would range from $5,000 to $25,000 for non-SAP equipped stations. NPRM ¶ 11. In fact, the costs would be far higher for stations, whether or not their transmitters presently have SAP equipment. These costs would be in addition to the millions of dollars that the broadcast networks would have to incur to add a third audio channel to their processing and distribution plants.

The Commission must seriously consider whether it is appropriate to require networks and stations to incur these costs to rebuild their analog equipment at a time when the Commission has mandated an ambitious schedule for these same entities to construct digital facilities and transition to digital television transmissions. Indeed, the Commission should consider whether the great discrepancy between the costs of DVS suggested to the Commission by advocacy groups and the real costs demonstrated in NAB's survey may indicate a lack of clear understanding of the implications of mandating DVS that lead Congress to direct the FCC only to conduct a study of DVS and not to adopt DVS rules.

Respectfully submitted,

Jack N. Goodman

Attachment

cc: Chairman and Commissioners
Legal Assistants
Roy J. Stewart
Deborah A. Lathen
Lorraine C. Miller

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Local Television Stations' Ability to Transmit A Video Description Service

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Vice President/Economist
&
Kelly Williams
Director of Engineering
National Association of Broadcasters

July 7, 2000

Local Television Stations'
Ability to Transmit A Video Description Service

Introduction

In its recent proposal on requiring certain local television stations to provide a video description service (DVS),[1] the FCC stated that "requiring these distributors to provide some video description will not be economically burdensome."[2] In an attempt to study that question, we contacted local television stations in large markets that are affiliated with the four major television networks to determine how easy it would be for them to provide this service.

Implementing DVS requires that TV stations have the ability not only to broadcast a Second Audio Program (SAP) channel from their transmitters but also - and, to some extent, more importantly - they must have the capability to handle a **third** channel of audio in their studios. In addition, they must have a way to deliver that third channel to the transmitter (typically via a studio-to-transmitter link - STL). Thus, our study asked stations for information about DVS capability in three areas: 1) the transmitter facility; 2) the STL; and 3) the studio facility. We also asked stations that did not have these capabilities how difficult they felt it would be to modify their facilities to provide DVS.

We found that it will **not** be an easy task with minimal costs for these stations regularly to provide DVS as the Commission assumed. While nearly two-thirds of these stations have transmitters that are equipped to broadcast a SAP channel, nearly eight of nine do not have the capability in their studio to process an additional audio channel. To modify stations to transmit DVS would take several hundred man-hours and hundreds of thousands of dollars each.

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[1] In the Matter of Implementation of Video Description of Video Programming, MM Docket No. 99-339, November 18, 1999.

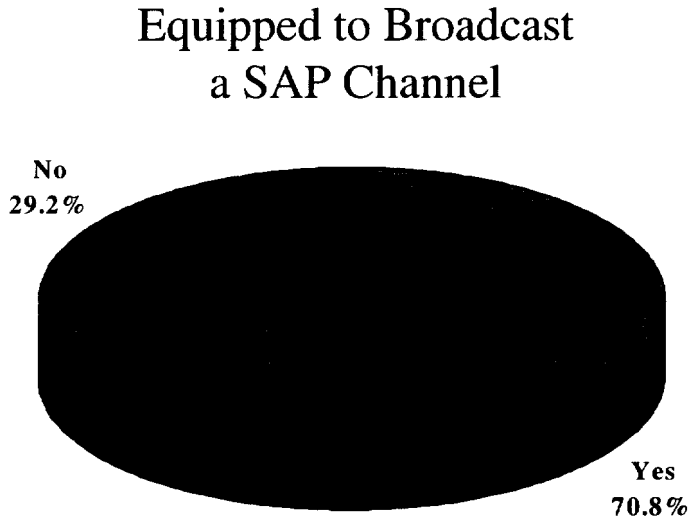
[2] Ibid., para. 19, p. 8. See also para. 11, p. 4-5 where the Commission estimates "that the cost to update equipment to become so [SAP-equipped] is between $5,000 and $25,000."

Survey Methodology

In order to gauge the capability of large market television stations associated with the four major television networks, we faxed a one-page survey to chief engineers at 203 different television stations in large markets.[3] We received usable responses from 106 stations, resulting in a response rate of 52.2%. A copy of the questionnaire is included as Appendix A.

Transmitter Facility

In order to provide DVS, stations must utilize a SAP channel on their transmitter. When asked whether their transmitter was equipped to broadcast a SAP channel, more than seven out of ten stations (70.8%) said they were so equipped.



[3] The 203 corresponds to the top four network affiliated stations in the top 50 markets. In six of those markets (Philadelphia, Boston, Washington, D.C., Tampa, Grand Rapids, and Buffalo) there are multiple affiliates of the same networks. In three of those markets (San Diego, Milwaukee, and Greenville-Spartanburg-Asheville-Anderson) there was not a U.S. licensed affiliate for one of the networks at the time of the survey.

As for the other stations (29.2%) whose transmitters are not so equipped, the following table shows the percentages of that group of stations who require the following items to make their transmitter facility SAP capable:

Item	% of Stations Not Equipped to Broadcast SAP
Exciter	6.5%
Filtering	6.5%
Stereo Generator	15.6%
SAP Generator	93.5%
Diplexer	3.2%
Other	32.3%

The other category included STL equipment, router positions, and an SAP monitor.

It is important that stations have the ability to monitor the performance of their transmitter. More than seven of ten stations (70.2%) responding indicated they have equipment that can monitor a BTSC/SAP equipped transmitter, with another quarter (23.6%) not having that equipment and the remaining 4.7% not responding to that question.

Studio-to-Transmitter Link (STL)

Also important to the future provision of DVS is the number of audio channels now being provided along various paths (primary, backup 1, and backup 2) from the studio to the transmitter. Most stations have an STL and at least one backup or emergency link from the studio to the transmitter.

Ninety-five stations (89.6%) reported they use their STL primary path for audio channels, with the average number of those audio channels along that path for those stations being 3.3. Eighty-three stations (78.3%) use their first STL backup path for audio channels, with the average number of those audio channels along that path for those stations being 3.1. Finally, only 16 stations (15.1%) use their second STL backup path for

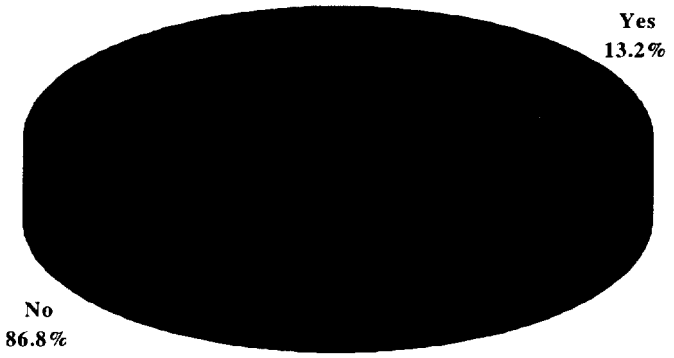
audio channels, with the average number of those audio channels along that path for those stations being 3.3.

STLs carry the stations' video and audio to the transmitter. The STLs also carry telemetry data used to control the transmitter and other equipment at the transmitter. This data is carried over audio channels on the STLs in the same manner as a computer modem is connected to send data over a voice telephone line. Most stations use 1-2 channels for telemetry; thus, any station whose STL (or back-ups) has less than four available audio channels, such as the average station in our survey, would likely not be able to support DVS. While it might be possible to re-task one of the audio channels on a back-up link to carry DVS, should there be a failure in the primary link, it would take time for station engineers to reset this re-tasked back-up link back to its original configuration resulting in lost air time. Back-up facilities are there in case of emergencies, and it is bad engineering practice to re-task these links for other purposes. Hence, the present capabilities of STLs, indicated by the response to the survey, do not include the capabilities to support DVS for many stations.

Studio Facility

In order to assess stations' abilities to support additional channels of audio, we asked whether they would be able to process an extra channel of audio for DVS through their existing plant. Nearly eight of nine stations (86.8%) indicated that they presently did **not** have the ability to process, route and distribute an extra channel of audio.

Ability to Process, Route & Distribute an Extra Channel of Audio



When asked what items they would need to accommodate an extra channel of audio, those stations indicated the following:

Item	% of Stations Not Able to Accommodate an Extra Channel of Audio
Audio DAs	94.6%
Additional Cabling	92.4%
Routing Switcher	91.3%
Master Control	83.7%
Other	23.9%

The other items mentioned included satellite receivers, modulators, and video tape recorders (VTRs).

Time and Cost Estimates

In addition to the specific questions concerning the equipment needed to distribute provision of DVS, we asked the chief engineers to estimate the difficulty they would have in providing this new service. An open-ended question was included asking whether there were any other technical issues that would impact the station's ability to

transmit DVS. Forty-four responses were received, with many of those responses concerned about the ability of the network to provide that additional channel of audio. Another serious concern involved the impact on services currently being provided on the SAP channel.

As for the time it would take to modify the station to transmit DVS, the average response was 278.4 man-hours. The range of answers to this question was quite wide, indicating the different capacities of the plants at television stations. One station indicated that they were already prepared (i.e., zero hours needed), and nine stations indicated it would take 1,000 or more hours to complete this task.

Turning to the cost estimates, the average estimate was $161,459 to modify the station. Here again, the range was very wide demonstrating the varying physical plants at television stations. Three stations reported it would cost $700,000 or more, and two stations reported a zero cost to modify the station.

Conclusion

While several television stations are presently equipped to provide DVS, many more stations will face a formidable task, both in terms of costs and time. As the results of this survey indicate, a considerable amount of additional equipment is needed for stations that are not presently equipped to broadcast a SAP channel, and even for those that are so equipped, additional equipment is needed to accommodate an additional audio channel. All of this suggests that the cost estimates in Paragraph 11 of the Commission's Notice of Propose Rulemaking substantially underestimates the true costs of adding DVS capability.

Appendix A

Attention Chief Engineer: **WE NEED YOUR HELP!**

National Association of NAB BROADCASTERS

Video Description Service Survey
JUNE 2000

*Dear Chief Engineer: The FCC is considering a regulation requiring affiliates in large markets to pass through a network feed of a Description Video Service (DVS) on a regular basis for your analog television station. The DVS is for the visually impaired and adds an additional audio track to a television program describing the settings and actions that are not otherwise reflected in the normal dialogue. This information is broadcast on the SAP channel of your station's transmitter, requiring your studio facility have the ability to handle an additional audio channel. The NAB is conducting this brief survey of the modifications that you would need to make to transmit DVS. The information compiled will be held in the **STRICTEST CONFIDENCE**. Information will only be published in aggregate form and individual station information will not be made available to anyone. Please return via fax to (202) 721-8625 **no later than Monday, June 26, 2000**. If you have any questions regarding this survey, please contact Mark Fratrik, NAB Research and Planning Department at (202) 429-5377. Thank you!*

Calls:_____ - TV **Name:**_____ **Phone:**_____

1. Is your transmitter equipped to broadcast a SAP Channel? ..... ❑ Yes ❑ No

IF NO:
1a. Please indicate which of the following items you would need to add or modify in order to broadcast a SAP channel. CHECK ALL THAT APPLY.

❑ Exciter ❑ Filtering ❑ Stereo Generator ❑ SAP Generator ❑ Diplexer
❑ Other: _____

2a. Does your station have the modulation monitoring equipment necessary to monitor a BTSC/SAP equipped transmitter.? ..... ❑ Yes ❑ No

3. How many channels of audio can your Studio-to-Transmitter-Link (STL) carry?

S-T-L	Type (e.g., microwave, fiber)	Number of Audio Channels Supported
Primary		
Backup 1		
Backup 2		

4. Can your studio plant process, route and distribute, on a regular basis, an extra channel of audio? (e.g., if you have a stereo plant, can your plant handle a third channel?) ..... ❑ Yes ❑ No

IF NO:
4a. Please indicate which of the following items you would need to add or modify in your studio plan to accommodate an additional audio channel. CHECK ALL THAT APPLY.

❑ Routing Switcher ❑ Audio DAs ❑ Other _____
❑ Master Control Switcher ❑ Additional Cabling _____

5. Are the any other technical issues that would impact your station's ability to transmit DVS? _____

_____

6. How many man-hours do you estimate it would take to modify your station to transmit DVS? ... _____

7. Overall, how much do you believe it would cost to modify your station to transmit DVS? ..... _____

Please fax this completed survey by Monday, June 26, 2000 to (202) 721-8625. Thank You!